

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TENNESSEE  
WINCHESTER DIVISION**

**IN RE:  
Robert R. Hattaway**

**CASE NO. 06-11251**

**CHAPTER 12**

**Debtor(s).**

**NOTICE OF HEARING**

A hearing will be held September 21, 2009, at 9:30 a.m. in the bankruptcy courtroom at the U. S. Post Office and Federal Building at Winchester, TN on the debtor's motion to reinstate.

**If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the request and may enter an order granting the request.**

**MOTION TO REINSTATE**

The debtor Robert Hattaway moves to reinstate his Chapter 12 case and in support of this motion for reinstatement states as follows:

1. The debtor filed his case under Chapter 12 under the Bankruptcy Code and an order of confirmation was entered in this cause on August 7, 2007.

2. The debtor is obligated under the terms of the plan to make payments up to the present date to the Trustee in the amount of \$57,766.62. At a final hearing in this cause held August 3, 2009, upon the Trustee's Motion to Dismiss, the funds were not immediately available, and as a result the case was dismissed. The order of dismissal was entered in this cause on August 3, 2009.

3. The debtor now has available for payment to the Trustee the total sum that is delinquent under the terms of the Plan. The payment of this amount will make the Plan current as of July 15, 2009. The next payment is due January 15, 2010.

The payment of this amount into the Plan will be to the benefit of the debtor, his creditors, the Trustee, and other interested parties.

WHEREFORE, good cause being shown, upon notice given to all creditors and interested persons, a hearing be held and at which time the Plan be reinstated upon the payment to the Trustee of the deficient amount of \$57,766.62.

Respectfully submitted:

SWAFFORD, PETERS, PRIEST & HALL

By: /s/ Robert S. Peters  
Robert S. Peters, #3630  
120 N. Jefferson Street  
Winchester, TN 37398  
(931) 967-3888

**CERTIFICATE OF SERVICE**

I, Robert S. Peters, hereby certify that a true and exact copy of the motion to reinstate has been served on all parties of interest either by electronic notice as registered with the court or by placing a true and exact copy of same in the United States Mail with sufficient postage thereon to carry the same to its destination.

Parties served:

C. Kenneth Still, Trustee	William Sonnenburg Office of U. S. Trustee	CNH Capital America, LLC\ P.O. Box 3600 Lancaster, PA 17804-3600
Farmers Crop Assurance Alliance, Inc. P.O. Box 4088 Eau Claire, WI 54702-4088	Farm Service Agency 579 U. S. Courthouse 801 Broadway Nashville, TN 37203	Royster-Clark, Inc. c/o James D. Lane, II Esq. P.O. Box 878 Tullahoma, TN 37388
Farm Plan Cooperation P.O. Box 6600 Johnston, IA 50131-6600	John M. Arledge 2675 Petigap Road McMinnville, TN 37110	Homeland Community Bank P.O. Box 7318 McMinnville, TN 37111-7318
J. Mark Stewart, Esq. Stewart & Stewart 300 S. College Street Winchester, TN 37398	Jerry Bradshaw 304 Freeze Road Morrison, TN 37357	Ashley Freeze 1380 Freeze Road Morrison, TN 37357
American City Bank 1500 Hillsboro Blvd. Manchester, TN 37355	Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114	M. Kent Anderson Assistant U. S. Attorney 1110 Market Street, Suite 301 Chattanooga, TN 37402
Warren County Trustee c/o Darlene Bryant P.O. Box 7164 McMinnville, TN 37111	Daniel J. Healy U. S. Dept. of Justice P.O. Box 227, Ben Franklin Station Washington, D.C. 20044	Robert Hattaway 10742 Shelbyville Highway Morrison, TN 37357

This the 13<sup>th</sup> day of Augsut, 2009.

By: /s/ Robert S. Peters